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FILED
DISTRICT COURT OF GUAM

JUL 16 2008

JEANNE G. QUINATA
Clerk of Court

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF GUAM**

UNITED STATES OF AMERICA,
Plaintiff,

vs.

NATHANIEL DIAZ PUNZALAN,
Defendant.

CRIMINAL CASE NO. 07-00075

SUPERSEDING INDICTMENT

**POSSESSION OF A FIREARM BY
A FELON**

[18 U.S.C. §§ 922(g)(1), 924(a)(2) & 2]
(Counts I and III)

**POSSESSION OF AMMUNITION BY
A FELON**

[18 U.S.C. §§ 922(g)(1), 924(a)(2) & 2]
(Counts II and IV)

THE GRAND JURY CHARGES THAT:

COUNT I - POSSESSION OF A FIREARM BY A FELON

On or about January 4, 2006, in the District of Guam and elsewhere, NATHANIEL DIAZ PUNZALAN, the defendant herein, having been convicted of a felony offense; to wit, one count of Burglary (As a Second Degree Felony), on September 24, 2001, under the Superior Court of Guam, Case No. 78-01, and one count of Terrorizing (As a Third Degree Felony), on August 19, 2002, under the Superior Court of Guam, Case No. CF531-01; possessed in and affecting commerce, a firearm, to wit: a .45 caliber pistol, brand name: Essex Arms Corp; Serial Number #SS6838, which had been shipped and transported in interstate or foreign commerce, in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2) and 2.

1 **COUNT II - POSSESSION OF AMMUNITION BY A FELON**

2 On or about January 4, 2006, in the District of Guam and elsewhere, NATHANIEL DIAZ
3 PUNZALAN, the defendant herein, having been convicted of a felony offense; to wit,
4 one count of Burglary (As a Second Degree Felony), on September 24, 2001, under the Superior
5 Court of Guam, Case No. 78-01, and one count of Terrorizing (As a Third Degree Felony), on
6 August 19, 2002, under the Superior Court of Guam, Case No. CF531-01; possessed in and
7 affecting commerce, ammunition, to wit: forty three .45 caliber ammunition, which had been
8 shipped and transported in interstate or foreign commerce, in violation of Title 18, United States
9 Code, Sections 922(g)(1), 924(a)(2) and 2.

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11 **COUNT III - POSSESSION OF A FIREARM BY A FELON**

12 On or about April 11, 2007, in the District of Guam and elsewhere, NATHANIEL DIAZ
13 PUNZALAN, the defendant herein, having been convicted of a felony offense; to wit, one count
14 of Burglary (As a Second Degree Felony), on September 24, 2001, under the Superior Court of
15 Guam, Case No. 78-01, and one count of Terrorizing (As a Third Degree Felony), on August 19,
16 2002, under the Superior Court of Guam, Case No. CF531-01; possessed in and affecting
17 commerce, a firearm, to wit: a Springfield Armory pistol, model XD-45, .45 caliber pistol, serial
18 number US661844, which had been shipped and transported in interstate or foreign commerce, in
19 violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2) and 2.

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21 **COUNT IV - POSSESSION OF AMMUNITION BY A FELON**

22 On or about April 11, 2007, in the District of Guam and elsewhere, NATHANIEL DIAZ
23 PUNZALAN, the defendant herein, having been convicted of a felony offense; to wit,
24 one count of Burglary (As a Second Degree Felony), on September 24, 2001, under the Superior
25 Court of Guam, Case No. 78-01, and one count of Terrorizing (As a Third Degree Felony), on
26 August 19, 2002, under the Superior Court of Guam, Case No. CF531-01; possessed in and
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1 affecting commerce, ammunition, to wit: nine rounds of .45 caliber ammunition, which had been
2 shipped and transported in interstate or foreign commerce, in violation of Title 18, United States
3 Code, Sections 922(g)(1), 924(a)(2) and 2.

4 DATED this 16th day of July, 2008.

5 A TRUE BILL.

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9 REDACTED

10 LEONARDO M. RAPADAS
11 United States Attorney
12 Districts of Guam and NMI

13 By: 

14 ROSETTA L. SAN NICOLAS
15 Assistant U.S. Attorney

16 Reviewed:

17 By: 

18 JEFFREY J. STRAND
19 First Assistant U.S. Attorney